

Message Text

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FM AMEMBASSY OTTAWA

TO SECSTATE WASHDC 9655

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E.O. 11652: N/A

TAGS: ETEL, CA

SUBJ: TV POLICY QUESTION - VIEW OF CRTC

CHAIRMAN BOYLE

REF: OTTAWA 1477

1. CRTC CHAIRMAN BOYLE AND I MET ON APRIL 30. IN CONTRAST TO HIS RECENT SPEECHES ON THE TRANSBORDER TV PROBLEM, HE APPEARED FAIRLY SUBDUED. HE WAS NOT ARGUMENTATIVE AT ALL ABOUT THE ROLE OF THE U.S. STATIONS IN CANADA OTHER THAN TO MAINTAIN THAT THEIR PRESENCE STRUCK AT THE BASIC PREMISES OF THE BROADCASTING POLICY IN THE 1968 ACT. ALTHOUGH HE ARTICULATED OBJECTIONS TO THE US STATIONS' PROPOSEAL OF MARCH 18 ALONG THE OINES OUTLINED BY SHOEMAKER ON APRIL 9 (SEE OTTAWA 1477), HE SUGGESTED THAT HIS STAFF WAS TRYING TO DEVELOP IDEAS WHICH MIGHT SERVE AT SOME POINT AS COUNTER-PROPOSEALS. HE DID NOT SUGGEST THEY WERE VERY FAR ALONG ON THIS APPROACH. I TOOK AWAY THE IMPRESSION THAT WORD HAD GOTTEN TO HIM ABOUT THE NEED FOR SOME KIND OF AN ACCOMMODATION WITH THE US.

2. WE DISCUSSED THE QUESTION OF WHERE BOTH COUNTRIES MIGHT WANT TO GO FROM HERE, IN TERMS OF SUBSEQUENT MEETINGS OR OTHER DEVICES, TO KEEP THE SITUATION UNDER CONTROL. HE SAID HIS VIEWS ON THIS WERE NOT FIRM BUT THAT HE PERSONALLY INTENDED TO DISCUSS THE MATTER WITH BASIL
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ROBINSON AT EXTAFF PROBABLY IN ABOUT TEN DAYS TIME--AFTER

HIS (BOYLE'S) RETURN FROM A WESTERN TRIP. I SHALL TOUCH
BASE PERSONALLY WITH ROBINSON IN ABOUT TWO WEEKS AND
REPORT ON HIS THINKING.

3. DURING OUR CONVERSATION BOYLE REFERRED SEVERAL TIMES
TO THE CANADIAN PROBLEM ARISING FROM THE DETROIT TV STATIONS'
INSISTENCE ON EXCLUDING WINDSOR RIGHTS FROM ANY SALE OF U.S.
PROGRAMS TO CANADA AND TO THE ADVERSE IMPACT THIS WAS HAVING
ON GLOBAL AND CTV. THE ISSUE IS BECOMING ACUTE AT THE MOMENT
AS CRTC CONSIDERS WHETHER TO AUTHORIZE CABLE IN WINDSOR.
WITHOUT SUGGESTING A QUID PRO QUO, HE MADE IT QUITE CLEAR
THAT IF THE USG COULD GET THAT "PROGRAM PROTECTION" QUESTION
RESOLVED IN A MANNER SATISFACTORY TO CANADIAN INTERESTS, HE
MIGHT FIND IT MUCH EASIER FOR THE CRTC TO DEAL ON THE DELETION
QUESTION. BOYLE MADE IT QUITE CLEAR THAT HE DID NOT CONSIDER
FCC REGULATIONS TO UNDERLIE THE WINDSOR PROBLEM, BUT RATHER
THE COMMERCIAL POWER OF THE DETROIT STATIONS IN RELATION TO
THE PROGRAM PRODUCERS. NEVERTHELESS, I THINK IT WOULD BE
DESIRABLE FOR STATE AND FCC TO EXAMINE THIS DETROIT-
WINDSOR SITUATION AND SEE WHETHER THERE IS ANY DEVICE
FOR EASING IT IN SUCH A WAY AS TO HELP CRTC BECOME MORE
FLEXIBLE ON DELETION AND PERHAPS OTHER ASPECTS OF THE
US-CANADIAN TV PROBLEMS WHICH MAY ARISE ONCE THE PRESENT
SITUATION HAS EASED. (SEE OTTAWA 4383, NOV. 21, 1975,
PARA. 10 FOR A DISCUSSION OF THIS QUESTION; BOYLE HAS
ALSO PROMISED TO MAKE AVAILABLE A DETAILED ANALYSIS OF
THE WINDSOR SITUATION FOR FORWARDING TO WASHINGTON AGENCIES.)

4. FINALLY, BOYLE ALLUDED TO PAY TV AS A QUESTION VERY MUCH
ON HIS MIND. HE IS PARTICULARLY IMPRESSED WITH THE RECENT
GROWTH OF HOME BOX OFFICE IN THE U.S. AND SEES THE HANDWRITING
ON THE WALL WITH RESPECT TO CANADA. IT IS GOING TO POSE ALL
SORTS OF PROBLEMS FOR CANADIAN BROADCASTING AND THE CRTC
REGULATORY REGIME. HOWEVER, HE ALSO SEES IT AS AN OPPORTUNITY
FOR CANADIAN PRODUCTION TO ESTABLISH ITSELF AS A SOURCE OF
SUPPLY FOR BOTH THE CANADIAN AND US PAY TV SYSTEMS. BOYLE'S
IDEAS ON THIS POINT ARE NOT PRESENTLY WELL DEVELOPED, BUT IT
WOULD PROBABLY BE USEFUL FOR THE TWO GOVERNMENTS TO MEET
(PERHAPS LATE IN 1976) FOR A PRELIMINARY EXCHANGE OF VIEWS
ON WHERE EACH OF US IS GOING IN THIS AREA AND ATTEMPT TO
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IDENTIFY QUESTIONS WHICH MAY GIVE RISE TO FUTURE PROBLEMS.
EMBASSY WILL SUBMIT SUGGESTIONS ON THIS AT A LATER DATE.

5. WILL SUBMIT BY SEPTEL SUGGESTIONS FOR NEXT ROUNDS ON
CABLE DELETION.
ENDERS

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